



U.S. Department of Justice

(93)

Environment and Natural Resources Division

AMO
2/20/01FILED
SCRANTON

JMG:ND

90-11-3-1057-A

Environmental Enforcement Section FEB 14 2001
P.O. Box 7611

Washington, DC 20044-7611

PER AMO
DEPUTY CLERKTelephone (202) 514-4628
Facsimile (202) 616-6583

February 14, 2001

Honorable Thomas I. Vanaskie
Middle District of Pennsylvania
235 N. Washington Avenue
Scranton, PA 18501

RECEIVED

FEB 14 2001

Re: United States v. Nassau Metals
Corporation, et al., C.A. No.
3:96-CV-562 (Estate of Joseph Brenner)

OFFICE OF JUDGE VANASKIE

Dear Judge Vanaskie:

This is a status report regarding the above-referenced case with respect to the Estate of Joseph Brenner.

On December 20, 2000, the United States lodged a Consent Decree that has been executed by the United States and the representative of the Estate of Joseph Brenner. Thereafter, counsel for the United States followed the normal Department of Justice procedures for having notice of the Consent Decree published in the Federal Register. A request was forwarded on January 5, 2001 for the notice to be published. Although the request did reach the office responsible for placing the notice in the Federal Register, the notice was not published -- apparently because it was misplaced in that office. Upon determining this, counsel immediately forwarded a second request for publication.

The notice was published in the Federal Register on February 8, 2001, and therefore the thirty-day public comment period will expire on March 9, 2001. The notice appears in the Federal Register, Vol. 66, Number 27, Page 9597. Upon expiration of the public comment period, and depending upon the comments, if any, received, the United States will promptly submit a motion requesting that the Court enter the Consent Decree or take some other course of action.

The United States apologizes to the Court for the delay

experienced in getting the notice published in the Federal Register.

Sincerely,



Nat Douglas
Trial Attorney
Environmental Enforcement Section

cc: Bonnie Pugh Winkler, EPA
Martin Cohn, Counsel for Estate of Joseph Brenner



IMPORTANT: This facsimile is intended only for the use of the individual or entity to which it is addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law. If the reader of this transmission is not the intended recipient or the employee or agent responsible for delivering the transmission to the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this transmission or its contents is strictly prohibited. If you have received this transmission in error, please notify us by telephoning and return the original transmission to us at the address given below.

FROM: Department of Justice
Environment and Natural Resources Division
Environmental Enforcement Section
1425 New York Avenue, N.W.
Washington, D.C. 20005

Fax No. 202/616-6583
Voice No. 202/514-4628

SENT BY: Nathaniel Douglas

TO: Honorable Thomas I. Vanaskie

FAX No. 570/207-5729

NUMBER OF PAGES SENT (INCLUDING COVER PAGE): 3

SPECIAL INSTRUCTIONS: Pursuant to a request from your office, please find enclosed a letter status report regarding the case referenced in the attached letter. A copy of this letter has been forwarded to Martin D. Cohn, counsel for the Estate of Joseph Brenner.